

**AMENDMENT NO. 1
TO THE CONTRACT BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA
AND
GALEDRIGE CONSTRUCTION, INC.**

This agreement ("Amendment No. 1") is made and entered into on this ____ day of _____, 200__, ("Effective Date") by and between the City of Santa Clara, California, a chartered California municipal corporation, with its principal place of business located at 1500 Warburton Avenue, Santa Clara, California 95050 ("City") and Galedrige Construction, Inc., a California corporation with its principal place of business located at Alviso, CA ("Contractor"). Contractor and City may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Amendment No. 1."

RECITALS

- A. The Parties previously entered into a contract entitled "2008 Asphalt Removal & Repair Project", dated March 18, 2008 (the "Original Contract"); and
- B. The Parties entered into the Original Contract for the purpose of having Contractor provide asphalt removal and repair services, and the Parties now wish to amend the Original Contract to amend original unit costs, due to temporary suspension of work and increased costs, and provide additional asphalt removal and repair services; and
- C. The Parties agreed to a Change Order No. 1, effective May 13, 2008, which increased unit prices for asphalt, increased asphalt quantities, extended time of completion by fourteen (14) days, for a net increase of \$105,888 in contract amount to a new total of \$823,657.

In consideration of the above Recitals and the following mutual covenants and obligations, the Parties agree as follows:

AGREEMENT PROVISIONS

- 1. Due to the suspension of work on residential area where water department did their water main replacement project, the City and the Contractor agree to adjust the Fee Schedule included as Exhibit F, as follows:
 - a. Increase unit price for item 6 – Asphalt concrete from \$133.75 to \$157.32 per ton
 - b. Increase lump sum for item 1 – Mobilization by \$3,500
 - c. Increase lump sum for item 11 – Traffic Control by \$1,000
 - d. Increase quantity for item 6 - Asphalt concrete from 1508 tons to 1900 tons
- 2. Due to the additional work on other residential areas and Cypress Alley reconstruction, the City and the Contractor agree to adjust the Fee Schedule, included as Exhibit F, as follows:
 - a. Increase quantity for item 7 – Asphalt concrete from 391 tons to 400 tons
 - b. Increase lump sum for item 1 – Mobilization by \$1,000

- c. Add new item for asphalt grinding and repair work performed on Lincoln St. at Clay Street with lump sum price of \$10,100
3. Total of all adjustments included in this amendment totals \$173,505 which results in a new total contract not to exceed amount of \$997,152
4. All other terms of the Original Contract which are not in conflict with the provisions of this Amendment No. 1 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Original Contract and this Amendment No. 1, the provisions of this Amendment No. 1 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 1 as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Amendment No. 1 shall become operative on the Effective Date first set forth above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

HELENE L. LEICHTER
City Attorney

JENNIFER SPARACINO
City Manager

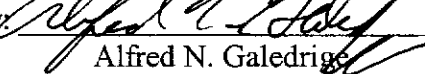
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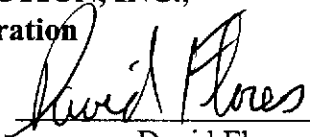
ROD DIRIDON, JR.
City Clerk

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Facsimile: (408) 241-6771

"City"

**GALEDRIGE CONSTRUCTION, INC.,
a California corporation**

By 
Alfred N. Galedrige
Title: Owner
Local Address:
P.O. Box 427, Alviso, CA 95002
Telephone: (408)946-7782
Facsimile: (408)946-7971


David Flores
Title: President
Local Address:
P.O. Box 427, Alviso, CA 95002
Telephone: (408)946-7782
Facsimile: (408)946-7971

"Contractor"